



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF



December 1, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT REPORT BACK ON THE
MACARTHUR FOUNDATION, SAFETY AND JUSTICE CHALLENGE GRANT**

On July 21, 2015, the Board requested the Los Angeles County Sheriff's Department (Department) to report back on the status of the Safety and Justice Challenge Grant Program (Grant) from the MacArthur Foundation (Foundation). For a historical account, please refer to the July 21, 2015, letter that was adopted by the Board. Attached is an overview of the strategies outlined in the Department's grant proposal. You may also refer to the letter, dated December 1, 2015, which provides greater detail and advanced notification regarding the submission.

Should you have any questions or require additional information, please contact me or Assistant Sheriff Terri McDonald, Custody Services Division, at (213) 893-5001.

Sincerely,

JIM McDONNELL
SHERIFF

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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STRATEGIES FOR MACARTHUR FOUNDATION GRANT APPLICATION

The MacArthur Foundation's (Foundation) Safety and Justice Challenge Grant (Grant) is a two-part grant program that consists of two separate, but related grants. Through the Grant, the Foundation will support a nationwide network of selected local jurisdictions committed to finding ways to safely reduce jail incarceration with a particular focus on addressing the potential disproportionate impact on low-income and minority communities. The Los Angeles County (County) Sheriff's Department (Department) was one recipient of the twenty planning grants awarded to jurisdictions nationwide during the first round. On July 21, 2015, the Board accepted the first round of Grant funding in the amount of \$150,000. The purpose of the first round of Grant awards were to provide funding and technical support for the planning and development of strategic plans that will be presented in the second Grant application. The Department is currently in the process of preparing the Grant application for the second round of awards, which must be submitted to the Foundation by January 6, 2016.

If awarded, the Department will receive funding up to \$2 million annually over two years, with an option to extend. There is no match requirement.

STRATEGIC PLAN AND PROPOSAL FOR THE GRANT

Bail Deviation Enhancement Program

There are three main programs outlined in the Grant that target reducing jail population safely, while incarcerating our most dangerous and violent offenders. The first program is the Bail Deviation Enhancement Program (Program). The Los Angeles County Probation Department's (Probation) long-standing bail deviation process affords arrestees the opportunity to have their bail reduced and/or request an Own Recognizance (OR) release prior to arraignment. Currently, arrestees must self-initiate the bail deviation process by calling the Probation's Pretrial Services Office and requesting a review.

During the first phase of the Program, inmates will no longer need to self-initiate the bail deviation process. Instead, approximately 50 percent of the population that enters custody for non-serious/non-violent offenses will automatically be screened by Probation using the current interview-based modified Wisconsin Risk Assessment Tool. This change will increase bail deviation screenings to approximately 42,500 annually; a significant increase from the current 23,114 screenings. Currently, an average of 817 inmates per year have their bail reduced by a bail commissioner, following Probation's review and recommendation. With the expanded review process, it is estimated that the number of bail reductions could increase to 1,700 per year. Concurrently, there are approximately 1,600 inmates released on OR annually following their application for bail deviation. The implementation of an expanded review process could result in approximately 3,000 inmates being released on OR per year.

The second phase of the Program will implement the use of a non-interview-based static-factor only risk assessment tool. With the development of an automated risk tool,

Probation will screen 100 percent of the inmate population for bail deviation and/or pretrial release. During both phases of this Program, Probation and the Department will facilitate on-going informational sessions with bench officers and bail commissioners to explain the value of this Program and its positive impact on the jail population. The second phase of the Program is anticipated to begin within 18 months and be fully operational within 36 months.

Regardless of which risk assessment tool Probation uses, the ultimate decision to release inmates on OR or reduce bail amounts remains with the Bail Commissioner. The sole purpose of the above efforts is to increase an inmate's opportunity to receive an assessment and review, and ensure fundamental fairness for inmates who may not understand, or be aware of, the bail deviation process.

Resource Release Program

A Resource Release Program (RRP) will potentially increase designated inmates access to pretrial release. A population of pretrial detainees have been identified that may be eligible for a conditional release if linked to the appropriate community-based services. Currently, defense attorneys spend countless hours trying to link incarcerated defendants to services without a comprehensive and centralized resource system in place. Through RRP, defense attorneys will be able to request information and direct linkage assistance to community-based treatment and service options. This will enable defense attorneys to more efficiently and effectively pursue a Detention Review Hearing to advocate for their clients' release. County bench officers stated they would likely be more amenable to make release decisions for defendants engaged in treatment services or provided with a supportive housing placement than for those without such services or placement.

The RRP will also facilitate the increased conditional pretrial releases to home confinement. Grant funds will be allocated to provide Electronic Monitoring/GPS (EM) tracking services for pretrial defendants who cannot currently afford to pay for those services. The County currently operates a very small EM program, which is funded at the defendants' expense, but many inmates are indigent. The RRP is intended to considerably increase the number of inmates eligible for the EM program.

The Department estimates that Grant funds could provide two case managers who could each serve 35 defendants per month. Grant funding will allow for a pilot program to be instituted at two locations, both anticipated to be fully operational within 12 months. The Department conservatively estimates that the RRP could support the conditional release of up to 800 pretrial defendants per year. The Department further estimates that RRP could support the conditional release of more than 600 pretrial defendants to the EM program per year, assuming each would receive an average of 90-days of monitoring services.

Alternative to Custody

Through the expanded use of Alternative to Custody (ATC) community placement options, leveraging Federal, State and local resources, approximately 140 community-based substance abuse and mental health treatment beds will be acquired for use by the sentenced population. This will allow between 425 and 560 inmates per year to serve the final 90-120 days of their sentence in supervised community-based treatment programs. The Department will also use grant funding to contract for an additional 50 beds in residential treatment for mothers of young children. Through this program, children will live with their mothers as they serve the final 90 days of their sentence in ATC placement, thereby unifying and strengthening the family bonds and allowing the participants to fully focus on recovery. Currently, this service does not exist for the incarcerated population. These additional treatment beds would service approximately 200 inmates per year in the County.

The Department has partnered with the University of California, Irvine (UCI) to develop an automated static risk assessment tool (LASRA), which will be used to more quickly sort through the jail population to make timely and effective assessments on which inmates would be best suited for placement in the ATC programs. If approved by the Board, the Department anticipates this program will be fully operational in late 2016.

If funded, each program would track and report the number of defendants screened or reviewed, how many were accepted or found eligible, rejected or ineligible defendants, and the reasons for each, as well as track and monitor the outcomes and results, and analysis of the success of each program.

FISCAL IMPACT/FINANCING

There is no match requirement upon the award of the Grant.

Grant awards will be made to 10 recipients in amounts ranging from \$5,000 to \$2 million. If the County is selected to receive the maximum grant amount, the Department recommends funding to be distributed as follows: \$300,000 to Probation for EM Services; \$300,000 to the Office of Diversion and Re-entry for a Linkage and Case Management Service Contract; \$1 million to the Office of Diversion and Re-entry to contract for Alternative to Custody community-based treatment services; and \$400,000 to the Department for staffing and/or overtime funding to facilitate program placements, and for complete tracking and reporting requirements.